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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KAMIL MISZTAL,

Defendant.

CASE NO. 2:22-MJ-00067-AC

STIPULATION AND ~~PROPOSED~~ ORDER FOR
EXTENSION OF TIME FOR PRELIMINARY
HEARING PURSUANT TO RULE 5.1(d) AND
EXCLUSION OF TIME

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney Jason Hitt, and defendant Kamil Misztal, both individually and by and through his counsel of record, John Kucera, Esq., hereby stipulate as follows:

1. The Complaint in this case was filed on April 29, 2022, and defendant first appeared before a judicial officer of the Court in which the charges in this case were pending on May 12, 2022. The defendant is currently is out of custody and under conditions of pretrial supervision.

2. By this stipulation, the parties jointly move for an extension of time of the preliminary hearing date of August 23, 2024, to August 30, 2024, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense reasonable time for preparation, and for the government's continuing investigation of the case. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In particular, the defendant is scheduled to enter guilty pleas in the Northern District

of Illinois on August 28, 2024. As part of those pleas and a multi-District global resolution, the government anticipates dismissing the pending Criminal Complaint after the pleas are entered..

3. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between August 23, 2023, and August 30, 2024, be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: August 21, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ Jason Hitt
JASON HITT
Assistant United States Attorney

Dated: August 21, 2024

/s/ John Kucera by Jason Hitt
JOHN KUCERA, Esq.
Counsel for Defendant
Kamil Misztal
Authorized to sign for Mr. Kucera by
local counsel on August 21, 2024

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~~[PROPOSED]~~ ORDER GRANTING EXTENSION
OF TIME FOR PRELIMINARY HEARING
PURSUANT TO RULE 5.1(d) AND EXCLUSION
OF TIME

The Court has reviewed the stipulation of the parties in this matter requesting an extension of time of the preliminary hearing date to August 30, 2024, at 2:00 p.m., pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. Based upon the representations of the parties, the Court makes the following findings:

1. Good cause exists to extend the preliminary hearing set for August 23, 2024, to August 30, 2024, at 2:00 p.m., before the assigned duty Magistrate Judge. Fed. R. Crim. P. Rule 5.1(d); and
2. The interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial and time is therefore excluded from the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), Local Code T4.

IT IS SO ORDERED.

Dated: August 22, 2024


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE